

Report of Results:

**A Self-Administered Sample Survey of LVL X Customers
at Prince Georges Plaza**

July 28, 2003

Submitted by:

**Dhiren Ghosh
Statistical Consultant**

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The author of this report, Dhiren Ghosh, was retained by the law firm of Christopher M. Johns LLC, to assess the influence, if any, of the storefront design (excluding the windows and window display), of the LVL X store at Prince Georges Plaza in Hyattsville, Maryland, on customers' decisions to enter the store, on either the occasion of their first visit or on any subsequent visit to that store; and the influence of the design of the sales counter in that store on the decision to purchase or not purchase once inside the store.

This was accomplished by asking a random sample of customers age 16 years and older to complete a self-administered survey. The survey took place during the months of May and June 2003.

After testing both closed-ended and open-ended formats for asking the pertinent questions, it was determined that the simplest, most straightforward way of addressing the key research issues was to ask the questions using an open-ended format. In this format, the respondent provides a spontaneous, "essay" type of response, in his or her own words, as contrasted with the "multiple choice" format, in which the respondent is asked to choose from among a set of pre-structured alternatives.

Ultimately, two different versions of the open-ended survey were employed. (Examples of both forms are attached to this report.)

Version A contained the following two questions:

1. What caused you to decide to come into *this store* (at this new location in the mall) for the 1st time?
2. What caused you to decide to come into this store for this visit?

This version of the survey was administered to just 27 respondents.

Version B repeated these questions, with slightly modified wording, and added a third question. This version read as follows:

1. You came into *this store* for the first time because...?
2. You came into *this store* other times because...?
3. You purchased items in this store because...?

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This third question was added to allow respondents the opportunity to address the role of the sales counter in influencing the decision to make a purchase. Pretesting in the closed-end format had shown that respondents found the idea that the shape, color, or other physical attribute of the sales counter might cause them to purchase something they would not otherwise purchase to be quite humorous. Never the less, the question was reinstated in open-ended format to provide an opportunity for respondents to mention that factor if it was sufficiently important to them.

This version of the survey was administered to 137 respondents age 16 or older.

In both versions, respondents were asked to indicate gender, name, address, and the date and time of the survey. As indicated on the survey forms, each respondent was sent, by mail, a five dollar certificate toward the purchase of merchandise at LVL X.

Content analysis was carried out on the 164 responses to the first two questions, and the 137 responses to the third question.

As to Question 1, the reason for entering the store for the first time, the vast majority of respondents (137 people, or 83.5%) mentioned some aspect of the merchandise available in the store-- its style, its quality, or its price-- as being a major factor in the decision to enter the store.

An additional 10% of survey respondents (17 persons) mentioned the merchandise display inside the store, as seen through the windows at the front of the store, as the main deciding factor in attracting them into the store.

Eight people, representing just under five percent of the total sample of survey respondents, mentioned the brightly lit store interior as a major factor in deciding to enter for the first time.

The remaining two individuals (just over one percent) mentioned the overall appearance of the store, without reference to any particular aspect.

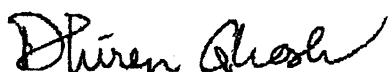
As to Question 2, reasons for visiting the store after the initial visit, all responses related to the quality, the style, the price, or some other aspect of the merchandise.

As regards the third question, once again all respondents named some characteristic of the merchandise as being the reason for making a purchase at the store. No individual mentioned the color, shape or any other physical characteristic of the sales counter as being a factor in the decision to purchase.

TOTAL P.02

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The conclusion that I draw from these findings is that neither the physical characteristics of the storefront nor those of the sales counter made any material contribution to drawing customers into the store on the first or subsequent visit, nor to encouraging them to purchase merchandise once inside the store.



Dhiren Ghosh
Statistical Consultant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MICHAEL HACKLEY, et al. :
Plaintiffs, :
vs. : JFM 02 CV 3363
LVL X, INC., et al. :
Defendants. :
:

VERIFICATION

I, Dhiren Ghosh, hereby declare and affirm under the penalties of perjury and upon personal knowledge that I was personally involved in the process of collecting some of the data and I was personally involved in analyzed all of the data whether it was data that I was involved in collecting or data that was made known to me. I used this data to form an expert opinion based on my own assessment of the data within the area of my expertise (see, my C.V. attached to report). My expert opinion is set forth in my "Report of Results: A Self-Administered Sample Survey of LVL X Customers at Prince Georges Plaza" (July 22, 2003).

Dhiren Ghosh
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